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09/893,393	06/28/2001	Rintaro Nakatani	S004-4303	6004

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ADAMS & WILKS  
50 Broadway, 31st Floor  
New York, NY 10004

EXAMINER

HO, ANDY

ART UNIT PAPER NUMBER

2126

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/893,393

Applicant(s)

NAKATANI, RINTARO

Examiner

The Thanh Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 6-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the amendment filed 9/7/2004.
2. Claims 6-33 have been examined and are pending in the application.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sontag U.S Patent No. 6,407,756.

**As to claim 6**, Sontag teaches an analyzer system (the system of Fig. 1a) which is either built-in to or separate from and connectable (integrated with the logic analyzer, and may additionally be made available on a remote terminal that communicates with the logic analyzer, lines 22-25 column 1) to an analyzer (a logic analyzer used to detect, analyze, and display digital voltage signals, lines 11-13 column 1), comprising:

analyzer software program (software program that provided the graphical user interface used to control the logic analyzer, lines 48-52 column 5) for controlling the analyzer to perform analysis procedures (operative to receive and interpret logic analyzer signals to display logic analyzer information for a user, and to receive and

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interpret user input to configure the logic analyzer in accordance with the user input, lines 49-52 column 5);

job information set in advance (user setting up timing mode, lines 36-48 column 1; lines 15-24 column 2; lines 27-32 column 8; Timing Mode 126, Fig. 4a) and corresponding to a specific analysis procedures (data contained within tabs 20, 40, 60, and 80 of graphical user interface that the user needs to configure in order for the logic analyzer to perform analysis procedures, lines 58-67 column 1), the analyzer software program being configured to confirm the existence of and read out the job information (user setting up timing mode and the software performs the timed job as set by the user, lines 36-48 column 1; lines 15-24 column 2; lines 27-32 column 8; Timing Mode 126, Fig. 4a);

a job comprising data for linking the job information to the analyzer software for a given analysis procedure (receive and interpret user input to configure the logic analyzer in accordance with the user input, lines 51-52 column 5);

job representing means for representing a job on a display (displays of Fig. 1a to 1e to receive user inputs; display screen 104, Fig. 3);

job launching means for launching the job by launching the analyzer software program through the job representing means to perform an analysis procedure (instruct the logic analyzer to store data measurements collected either leading up to the trigger event, after the trigger event, or evenly distributed before and after the trigger event, line 67 column 8 to line 3 column 9; user set up the job via interfaces of Figs. 1a to 4e).

Sontag does not explicitly teach analyzing results output by the analyzer.

However, Sontag teaches the logic analyzer in the invention is an electronic instrument used to detect, analyze, and display digital voltage signals (lines 11-13 column 1) in which the graphical user interface is operative to receive and interpret logic analyzer signals to display logic analyzer information for a user (lines 48-50 column 5).

Therefore one of ordinary skill in the art would conclude that the user would use the results outputted by the analyzer to analyze the system; therefore improving the system performance.

**As to claim 7**, Sontag as modified further teaches the job representing means is an icon comprised of an icon name and an icon image file (plurality of icons for use by the user in Figs. 1a to 4e).

**As to claim 8**, Sontag as modified further teaches the analyzer software program contain a customizable user interface that is customized by the job information to display information relating to the specific analysis procedures (logic analyzer user interface comprises Config tab 20 allows the user to set up the measurement configuration of a machine, Format tab 40 allows the user to setup the format in which to display the captured measurements, Trigger tab 60 allows the user to set up the point on which data is captured, and Symbol tab 80 which allows the user to map alphanumeric symbols to raw data, lines 58-67 column 1).

**As to claim 9**, Sontag as modified further teaches customizing the user interface by setting a type of information to be displayed to the user (setup the format in which to display the captured measurements, lines 63-63 column 1), a level of detail of

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information to be displayed to the user (set up the point on which data is captured, lines 64-65 column 1), and a number of prompts for requesting the user to input information (pop-up menu that allows the user to click on the individual bits to define which bits to monitor, lines 57-59 column 2), and setting how the analyzer software will analyze the information input by the user (set up the measurement configuration of a machine, lines 61-62 column 1).

**As to claim 10**, it is a system claim of claims 8-9. Therefore, it is rejected for the same reasons as claims 8-9 above.

**As to claim 11**, Sontag as modified further teaches the customized user interface comprises a specific arrangement of menus and dialog boxes (menus, dialog boxes and pop-up menus of Fig. 1a to 1e) for displaying information to a user and prompting the user to input information to the analyzer (display logic analyzer information for a user, and to receive and interpret user input to configure the logic analyzer in accordance with the user input, lines 49-52 column 5).

**As to claim 12**, it is a system claim of claims 8-9. Therefore, it is rejected for the same reasons as claims 8-9 above. Sontag as modified further teaches function call information in which are described functions in the order called by the analyzer software program and parameters needed by the analyzer software to perform function execution in order to automate or semi-automate analyzer software operations (configuration functions are selected in accordance with level of measurement complexity, lines 18-19 column 1).

**As to claim 13**, it is a system claim of claim 11. Therefore, it is rejected for the same reasons as claim 11 above.

**As to claim 14**, it is a system claim of claim 9. Therefore, it is rejected for the same reasons as claim 9 above.

**As to claim 15**, it is a system claim of claim 12. Therefore, it is rejected for the same reasons as claim 12 above. Sontag as modified further teaches output format information for describing an output format of analyzer software analysis results (format 40, Fig. 1b; format in which to display the captured measurements, lines 63-63 column 1).

**As to claim 16**, it is a system claim of claim 11. Therefore, it is rejected for the same reasons as claim 11 above.

**As to claim 17**, it is a system claim of claim 9. Therefore, it is rejected for the same reasons as claim 9 above.

**As to claim 18**, Sontag as modified further teaches the analyzer system is separate from the analyzer (the graphical user interface is operable at the remote computer as well to allow remote control of the logic analyzer, lines 14-16 column 8); and a communication line (network connection, lines 13-14 column 8) for connecting the analyzer system to the analyzer.

**As to claim 19**, it is a system claim of claim 18. Therefore, it is rejected for the same reasons as claim 18 above.

**As to claim 20**, Sontag as modified further teaches the analyzer software programs control the analyzer to perform measurements (receive and interpret user

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input to configure the logic analyzer in accordance with the user input, lines 49-52 column 5).

**As to claim 21**, Sontag as modified further teaches information for setting the analyzer software programs to be able to handle different instructions (different inputs from the user to each of the tags 20, 40, 60 and 80, Figs. 1a to 1e).

**As to claim 22**, Sontag as modified further teaches a directory containing the job information for analysis procedures (Config tab 20, Format tab 40, Trigger tab 60, and Symbol tab 80, lines 58-67 column 1).

**As to claim 23**, it is a system claim of claims 6 and 9. Therefore, it is rejected for the same reasons as claims 6 and 9 above.

**As to claim 24**, it is a system claim of claim 7. Therefore, it is rejected for the same reasons as claim 7 above.

**As to claim 25**, it is a system claim of claim 18. Therefore, it is rejected for the same reasons as claim 18 above.

**As to claim 26**, it is a system claim of claim 15. Therefore, it is rejected for the same reasons as claim 15 above. Sontag as modified does not explicitly teaches the analysis results in a graph and a numerical form. However, Sontag as modified teaches the logic analyzer in the invention is an electronic instrument used to detect, analyze, and display digital voltage signals (lines 11-13 column 1) in which the graphical user interface is operative to receive and interpret logic analyzer signals to display logic analyzer information for a user (lines 48-50 column 5). Displaying an analyzing result in a user interface using graph or numerical form is well known in the art. Therefore one



of ordinary skill in the art would conclude the system of Sontag uses a graph and a numerical form to display analyzing results because this allows the user to understand the system performance.

**As to claims 27-33**, they are combination system claims of claims 6-9, 18, 26 and 6, respectively. Therefore, they are rejected for the same reasons as claims 6-9, 18, 26 and 6 above.

### ***Response to Arguments***

4. Applicant's arguments filed 9/7/2004 have been fully considered but they are not persuasive.

Applicant argued that Sontag does not teach: "...is set in advance", "...confirm the existence of and read out the job information", "...the job representing means is an icon comprised of an icon name and an icon image file" (Remarks, pages 19-20). In response, the applicant argued new limitations that were not claimed before. However, these new limitations are still met by the cited reference as disclosed in the claim rejections above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

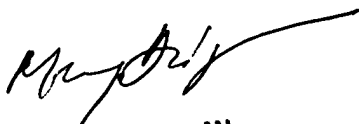
- AFTER-FINAL faxes must be signed and sent to (703) 872 - 9306.
- OFFICAL faxes must be signed and sent to (703) 872 - 9306.

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- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

TTH

January 25, 2005



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